

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Jose F. Caragol
Council Vice President



Council Members
Katherine Cue-Fuente
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano
Carl Zogby

City Council Summary Agenda/Minutes May 8, 2018 7:00 P.M.

Call to Order

REPORT: Council President Casáls-Muñoz called the meeting to order at 7:15 p.m.

Roll Call

REPORT: The following Council Members were present:

- Council President Vivian Casáls-Muñoz
- Councilman Vice President Jose Caragol
- Councilwoman Isis Garcia-Martinez
- Councilwoman Lourdes Lozano
- Councilman Carl Zogby
- Councilwoman Katharine Cue-Fuente

Report: Councilwoman Lourdes Lozano arrived at 7:17pm. after roll call.

REPORT: The following Council Members were absent:

- Councilman Paul Hernandez

REPORT: Also present were:

- Lorena Bravo, City Attorney
- Mayor Carlos Hernandez

Invocation

REPORT: The invocation was led by Lisette Perez, Office Coordinator, Office of the City Clerk.

Pledge of Allegiance

REPORT: The Pledge of Allegiance was led by Council President Casáls-Muñoz.

MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by Lisette Perez, Office Coordinator, Office of the City Clerk, in English, and by Brigitte Leal, Administrative Aide, Office of the City Clerk, in Spanish.

PRESENTATIONS

- **Presentation by Carlos Berragon representing the Organization Children in Action. Presented.**

REPORT: Carlos Berragon introduced Zoe Prieto, President of the Foundation Children in Action to the City Council.

- **Annette Quintana, Director of Grants & Human Services, reported status of the ongoing matter with the Housing and Urban Development (HUD) program and The HOME Program to the Mayor and the City Council.**

1. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- **Item 3B is being withdrawn from today's agenda and will be heard on second reading on May 22, 2018, as the Miami Herald failed to publish the ad timely sent to them by the City.**
- **Item 4A has been added to today's agenda and placed on the dais for the City Council's review.**

- **Item 3H has been amended and placed on the dais for the City Council's review.**
 - **Item Z has been added to today's agenda and has been placed on the dais for the City Council's review.**
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2. CONSENT AGENDA

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Motion to Approve the Consent Agenda, made by Councilwoman Garcia-Martinez, and seconded by Councilman Zogby. Motion passed 6-0-1 with Councilman Hernandez being absent.

- A. Request permission to approve the minutes of the City of Hialeah Council Meeting held on April 24, 2018. (OFFICE OF THE CITY CLERK)
APPROVED 6-0-1 with Councilman Hernandez absent.
- B. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order #2018-716, issued to Royal Electrical Supply Inc., to purchase electrical supplies for all city wide facilities, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000. (CONSTRUCTION AND MAINTENANCE DEPT)
APPROVED 6-0-1 with Councilman Hernandez absent.
- C. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order #2018-713, issued to Manhattan Electric & Lighting Supply doing business as Manhattan Electric & Hardware Corporation., to purchase electrical supplies for all city wide facilities, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000. (CONSTRUCTION AND MAINTENANCE DEPT)
APPROVED 6-0-1 with Councilman Hernandez absent.
- D. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order #2018-711, issued to ASP Alarm & Electrical Supplies, Inc., doing business as Advanced Security Products of Hialeah, Inc., to purchase security and electrical supplies for all city wide facilities, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000. (CONSTRUCTION AND MAINTENANCE DEPT)
APPROVED 6-0-1 with Councilman Hernandez absent.

- E. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order #2018-714, issued to Miami Dade Electrical Supply, Inc., to purchase electrical supplies for all city wide facilities, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (CONSTRUCTION AND MAINTENANCE DEPT)

APPROVED 6-0-1 with Councilman Hernandez absent.

- F. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Amaran Painting LLC., for the painting and waterproofing of the Bucky Dent Aquatic Center for a total amount of \$40,500, and further request permission for an additional amount of \$4,000 to cover any unforeseen items that may arise during the work, for a new total cumulative amount not to exceed \$44,500. (CONSTRUCTION AND MAINTENANCE DEPT)

APPROVED 6-0-1 with Councilman Hernandez absent.

- G. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Top Seal Services Corp., for the roofing repairs of the Bucky Dent Aquatic Center for a total amount of \$29,600, and further request an additional amount of \$2,960 to cover any unforeseen items that may arise during the work, for a new total cumulative amount not to exceed \$32,560. (CONSTRUCTION AND MAINTENANCE DEPT)

APPROVED 6-0-1 with Councilman Hernandez absent.

- H. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to H & R Paving, Inc., for the purchase of asphalt material at \$72.00 per ton and paver rental at \$950.00 per day for the repairing of various roads, for a new total cumulative amount not to exceed \$60,000. (STREETS DEPT)

APPROVED 6-0-1 with Councilman Hernandez absent.

- I. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Greener Waste Services, Inc., vendor providing the lowest quotation, for the disposal of special waste and debris as necessary throughout the year, for a new total cumulative amount not to exceed \$30,000. (STREETS DEPT)

APPROVED 6-0-1 with Councilman Hernandez absent.

- J. Proposed resolution authorizing the Mayor and the City Clerk as attesting witness, on behalf of the City, to execute the First Amendment to Payment Collection and Remittance Agreement with Amscot Corporation, in substantial conformity with the agreement attached and made a part hereof as Exhibit "1", to modify the term of the agreement and the administrative fee to be paid by those customers who choose to use Amscot's services, for a term of five years, commencing on May 1, 2018; and providing for an effective date. (DEPT OF PUBLIC WORKS)

APPROVED 6-0-1 with Councilman Hernandez absent.
RESOLUTION NO. 2018-041

- K. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA17-VEL 25.0 - 1/2 Ton 4-Door Crew Cab Pickup Truck – 4X2 Specification #50, and issue a purchase order to Alan Jay Chevrolet of Avon Park, Inc., to purchase one (1) 2018 Chevrolet Silverado 1500, in the amount of \$25,081. Further request permission to utilize Florida Sheriffs Association & Florida Association of Counties- Mid-Size 4-Door Utility Vehicles- 4x2 Specification #28, to purchase two (2) 2018 Chevrolet Traverse, in the amount of \$67,750. Further request permission to utilize Florida Sheriffs Association & Florida Association of Counties- Mid-Size 4-Door Utility Vehicles-4x4 or AWD Specification #27, to purchase three (3) 2018 Chevrolet Traverse, in the amount of \$90,633 from to AutoNation Chevrolet of Pembroke, doing business as AN Motors of Pembroke, LLC. The total amount of the expenditure for all six (6) vehicles is \$183,464. (BUILDING DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- L. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order #2018-1202, issued to World Waste Recycling Inc., for recycled collection material generated by the residents of the City of Hialeah, by an additional amount of \$35,000, for a new total cumulative amount not to exceed \$50,000. (DEPT OF PUBLIC WORKS.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- M. Request permission to increase purchase order #2018-834, issued to R.J. Behar & Company, Inc., for a cut and fill permit and additional survey services to identify the retention areas that will be used to mitigate the roadway fill for the design of NW 102nd Avenue, from 138th Street to Northwest 142nd Street, by an additional amount of \$11,455 for a new total cumulative amount not to exceed \$101,158.00. (STREETS DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- N. Request permission to waive competitive bidding, since it is advantageous to the City and issue a purchase order to Z Roofing & Waterproofing, Inc., vendor providing the lowest quotation for Fire Station # 5- Re-Roofing. The City Council on April 24, 2018 granted permission to waive competitive bidding procedures and request quotations for this project- Hialeah Bid # 2017-18-3230-00-005- *Fire Station #5- Re-Roofing*, since only one bid was submitted and it exceeded the City's budget, in a total cumulative amount not to exceed \$88,900. (CONSTRUCTION & MAINTENANCE DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- O. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to American Pavement Corp., vendor providing the lowest quotation, for the restriping of West 60th Street, from Palm Avenue to West 4th Avenue, in a total cumulative amount not to exceed \$8,230. (STREETS)

APPROVED 6-0-1 with Councilman Hernandez absent.

- P. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order #2018-16, issued to Ring Power Corporation, to repair and inspect multiple city cranes, by an additional amount of \$30,000, for a new total cumulative amount not to exceed \$45,000. (FLEET MAINTENANCE DEPT.)
APPROVED 6-0-1 with Councilman Hernandez absent.
- Q. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Corcel Corp., vendor is familiar with the materials and requirements of the Department, and provided the lowest quotation for pipes, materials, supplies and backflows, in a total cumulative amount not to exceed \$37,953.93. (DEPT OF PUBLIC WORKS.)
APPROVED 6-0-1 with Councilman Hernandez absent.
- R. Request permission to utilize State of Florida Contract No. 432200000-WSCA-14ACS-*New Telephone System*, effective through 5/20/2019, and issue a purchase order to Convergeone, Inc, for the purchase of a new telephone system for the department in a total amount of \$184,715.86 plus a contingency of \$18,000 to be exercised at the sole discretion of the City, including a one year maintenance agreement in the amount of \$12,193.22, for a total cumulative amount not to exceed \$202,715.86. (DEPT OF PUBLIC WORKS.)
APPROVED 6-0-1 with Councilman Hernandez absent.
- S. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the requirements of the City's Department of Public Works, and increase purchase order number 2018-918, issued to Culmin Staffing Group, Inc, by an additional amount of \$50,000, for a new total cumulative amount not to exceed \$100,000. (DEPT. OF PUBLIC WORKS)
APPROVED 6-0-1 with Councilman Hernandez absent.
- T. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the requirements of the City's Department of Public Works and this vendor is one of the few laboratories certified to conduct these types of test, and increase purchase order # 2018-1178, issued to Florida-Spectrum Environmental Services, Inc., to conduct required water quality testing as needed to verify that water plant operations meet the requirements of the service contract, by an additional amount of \$50,000, for a new total cumulative amount not to exceed \$100,000. (DEPT. OF PUBLIC WORKS)
APPROVED 6-0-1 with Councilman Hernandez absent.
- U. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the requirements of the City's Department of Public Works and this vendor is the sole source vendor, and issue a purchase order to Core & Main LP., for the purchase of water meters, for a total cumulative amount not to exceed \$63,250.00. (DEPT. OF PUBLIC WORKS)

APPROVED 6-0-1 with Councilman Hernandez absent.

- V. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Forever Entertainment, LLC., to provide a 90 minute performance for the City of Hialeah Independence Day Event, for a total cumulative amount not to exceed \$16,000. (COMMUNICATION AND SPECIAL EVENTS DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- W. Request permission to retain the legal services of Lewis, Longman & Walker, P.A., to assist the Law Department in connection with our ongoing bargaining for successor agreements with our Police and Fire Unions, in a total cumulative amount not to exceed \$10,000. (LAW DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- X. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Fortiline, Inc., vendor providing the lowest quotation, for the purchase of DLJ meters, in a total cumulative amount not to exceed \$48,801.25. (DEPT. OF PUBLIC WORKS)

APPROVED 6-0-1 with Councilman Hernandez absent.

- Y. Request permission to make payment to Thompson Consulting Services, LLC, for services rendered during the City's recovery efforts in the aftermath of Hurricane Irma, in a total cumulative amount not to exceed \$443,841.48. (EMERGENCY MANAGEMENT DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- Z. Request permission to waive competitive bidding and ratification, since it is advantageous to the City, for the purchase of a used 2017 model year Jaguar F- Pace, in the amount of \$43,779.25 from Doral Lincoln, LLC, as a replacement vehicle for the Mayor's office. (FLEET MAINTENANCE DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

3. ADMINISTRATIVE ITEMS

- 3A. Second reading and public hearing of proposed ordinance approving the release of a public utility easement traversing land located at 795 Hialeah Drive, Hialeah, Florida, comprising lots 8, 9, 10, 11 and 12 of Blocks 25 of the Third Addition to Essex Village, as shown on the plat thereof recorded in the Plat Book 47, Page 94 of the Official Records of Miami-Dade County, Florida; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violations hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1 with Councilman Hernandez absent

ORDINANCE NO. 2018-031

REPORT: Motion to Approve Item 3A made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 6-0-1 with Councilman Hernandez being absent.

- 3B.** Second reading and public hearing of proposed ordinance approving an amendment to the development agreement by and among FDG Countyline, LLC, a Delaware limited liability company, FDG BN Expansion, LLC, a Delaware limited liability company, and the City of Hialeah, Florida, dated March 31, 2014 approved by Hialeah, Fla. Ordinance 2014-18 (March 25, 2014), a copy of the amendment in substantial form is attached hereto and made a part hereof as Exhibit "1", providing for changes in the improvements to the city park to be permitted and constructed by the developer in exchange for the payment of \$500,000.00 by the City to the developer upon conveyance, approving the form of deed, manner of conveyance and restrictions upon the land, providing for changes to the configuration of the roadways to be built and dedicated by developer, defining the location of the easements reserved by developer on the city park and providing for developer's obligations for conduct within the easement, among other things. property comprising approximately 504 acres within an area bounded on the west by NW 107 Avenue, on the north by NW 170 Street, on the east by NW 97 Avenue and on the South by NW 154 Street; all located in Hialeah, Florida. Property having a land use classification of industrial and located within the BDH Business Development zoning district. Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

POSTPONED UNTIL MAY 22, 2018.

- 3C.** Second reading and public hearing of proposed ordinance amending Chapter 98 entitled "Zoning", Article III "Plans and Plats", Division 3. "Subdivision Plats", of the Code of Ordinances of the City of Hialeah, and in particular, revising Section 98-346 entitled "Required", and adding a new Section 98-349 entitled "Unity of Title; Covenant in Lieu Thereof", creating an exception to the subdivision of plat requirement for the BDH Business Development District, provided that all applications for building permits where multiple buildings are proposed for a single site be accompanied by a unity of title or declaration of restrictive covenants; creating a requirement for the City Attorney to approve the unity of title and declaration of restrictive covenants for legal form and sufficiency; and further providing for the required elements of the declaration of restrictive covenants; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; providing for a severability clause; providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1 with Councilman Hernandez absent.

ORDINANCE NO. 2018-032

REPORT: Motion to Approve Item 3C made by Council Vice President Caragol, and seconded by Councilwoman Garcia-Martinez. Motion passed 6-0-1 with Councilman Hernandez being absent.

- 3D.** Second reading and public hearing of proposed ordinance amending Chapter 98, entitled "Zoning", Article I, entitled "In General", § 98-7 entitled "Reserved"; by adding § 98-7 entitled "Fees"; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for

inclusion in code; and providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1 with Councilman Hernandez absent.

ORDINANCE NO. 2018-033

REPORT: Motion to Approve Item 3D made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 6-0-1 with Councilman Hernandez being absent.

- 3E. Second reading and public hearing of proposed ordinance submitting to the electorate at a Special Election of the City of Hialeah to be held on Tuesday, August 28, 2018, the same date as the primary election of Miami-Dade County, where the electors shall be privileged to vote on the following ballot question:

“Would you support an increase of approximately 3/4 of one mill (for example: current millage 6.3018 + 0.75 = 7.0518 proposed millage) in the property tax rate in the city of Hialeah to fund hiring additional police officers, make necessary capital expenditures, purchase specialty equipment and technology, train first responders, for the purpose rendering aid to schools as necessary and as permitted by law, and enhance response to public mass shootings in the city?”

Repealing all ordinances in conflict herewith; providing penalties for violation thereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1 with Councilman Hernandez absent.

ORDINANCE NO. 2018-034

REPORT: Mayor Hernandez provided the City Council with pictures on the specialty equipment that will be purchased for Police Officers and First Responders.

REPORT: Dania Victores, 2765 West 54th Street, Hialeah, Florida 33016, ask for cost clarification on this item.

REPORT: Mayor Hernandez clarified the item for Ms. Victores.

REPORT: Motion to Approve Item 3E made by Council Vice President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilman Hernandez being absent.

- 3F. Second reading and public hearing of proposed ordinance relating to the construction and funding of roadway improvements in the N.W. 142nd Street assessment area; determining that certain real property will be specially benefited by the roadway improvements establishing the method of assessing the cost of the improvements against the real property that will be specially benefited thereby; establishing other terms and conditions of the assessments approving the assessment roll; imposing assessments upon all tax parcels described in the assessment roll; providing the method of collection ratifying and confirming the initial assessment resolution; directing recorded notice of the assessments; providing for severability; providing penalties for violation hereof; and providing an effective date. (ADMINISTRATION) **TABLED**

REPORT: Lorena Bravo, City Attorney, ask the City Council to postpone the item

until the next City Council meeting of May 22, 2018.

REPORT: Motion to postpone Item 3F made by Council Vice President Caragol, and seconded by Councilwoman Garcia-Martinez. Motion passed 6-0-1 with Councilman Hernandez absent. Item 3F is postponed until the City Council meeting of May 22, 2018.

- 3G** First reading of proposed ordinance waiving competitive bidding and granting an exclusive franchise to World Waste Recycling, Inc., a Florida corporation, for the collection of residential recyclable materials, for a term beginning upon execution of the exclusive franchise agreement by the parties and ending on September 30, 2019, with an automatic renewal term beginning on October 1, 2019 and ending on September 30, 2023, and subsequent renewals at the option of the parties, for a term of one year each, with a cumulative duration of all subsequent renewals, after the first renewal term, not to exceed a total of five years; approving the terms of the exclusive franchise in substantial conformity with the agreement attached hereto and made a part hereof as appendix 1, including the uniform rates for standard collection services and rate adjustments; authorizing the Mayor and the City Clerk, as attesting witness, to execute the exclusive franchise agreement on behalf of the City; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violations hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1 with Councilman Hernandez absent.

REPORT: Motion to Approve Item 3G made by Councilwoman Cue-Fuente, and seconded by Councilwoman Garcia-Martinez. Motion passed 6-0-1 with Councilman Hernandez absent. Second reading and public hearing is scheduled for May 22, 2018.

- 3H.** First reading of proposed ordinance amending Chapter 2 entitled "Administration" of the Code of Ordinances, Article V. entitled "Finance", Division 2. entitled "Fees and Charges", and in particular repealing Section 2-873 "Property Lien Services" in its entirety and adopting a new Section 2-873 "Property Research Services" to provide for a schedule of fees for services involving the research of code enforcement violations, liens and preparation of pay-off or estoppel letters and partial releases; repealing paragraph (d) of Section 2-871 as duplicitous and renumbering all remaining paragraphs to conform; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1 with Councilman Hernandez absent.

REPORT: Lorena Bravo, City Attorney, spoke on the item.

REPORT: Motion to Approve Item 3H made by Council Vice President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilman Hernandez absent. Second reading and public hearing is scheduled for May 22, 2018.

- 3I.** First reading of proposed ordinance approving the release of a declaration of use at **1200 E. 10th Avenue, Hialeah, Florida 33010** (Folio No. 04-3117-004-0360), comprising Lot 14 of Block 23 of Section four Sun-Tan Village, as shown on the plat thereof recorded in Plat Book 50, Page 24 of the Official Records Of Miami-Dade County, Florida; repealing all

ordinances or parts of ordinances in conflict herewith; providing penalties for violations hereof; providing for a severability clause; and providing for an effective date.
(ADMINISTRATION)

APPROVED 6-0-1 with Councilman Hernandez absent.

REPORT: Motion to Approve Item 3I made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 6-0-1 with Councilman Hernandez absent. Second reading and public hearing is scheduled for May 22, 2018.

4. BOARD APPOINTMENTS

- 4A.** Proposed resolution approving the appointment of **Eugene M. Steinfeld** as Special Master to conduct administrative hearings on code violations for the City of Hialeah, Florida, pursuant to the enforcement procedures set forth in chapter 22, Article III, of the Hialeah code, assume all powers authorized by Hialeah code § 22-154, and serve a term commencing on June 1, 2018 and ending on May 31, 2019, at an hourly rate to be established by administrative order of the Mayor; and providing for an effective date.

APPROVED 6-0-1 with Councilman Hernandez absent.

RESOLUTION No. 2018-042

REPORT: Lorena Bravo, City Attorney, introduced Mr. Eugene M. Steinfeld to the Mayor and the City Council.

REPORT: Motion to Approve Item 4A made by Council Vice President Caragol, and seconded by Councilwoman Lozano. Motion passed 6-0-1 with Councilman Hernandez absent.

5. UNFINISHED BUSINESS

REPORT: NONE

6. NEW BUSINESS

REPORT: NONE

7. COMMENTS AND QUESTIONS

- **Lazco Tarno, 85 West 69 Street, Hialeah, Florida., addressed the City Council with issues on Solid Waste.**
- **State Representative, Emily Slosberg, District 91, addressed the Mayor and the City Council with concerns on implementing a stronger system for cell phone free zones in the City of Hialeah's school zones.**

- **Salviera Suero, 3248 West 14 Court, Hialeah, Florida., addressed the City Council with concerns about implementing cell phone free school zones.**
- **Liz Berdias, 135 West 26 Street, Hialeah, Florida., addressed the City Council with the idea of drafting a resolution for cell phone free school zones.**
- **Councilwoman Garcia-Martinez commented on her support on this matter.**
- **Mayor Hernandez advised the students that a resolution will be drafted for the next City Council meeting and they have his full support on this matter.**

ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item

Attention Applicants:

- Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

REPORT: Councilwoman Cue-Fuente left the City Council Meeting at 8:30 p.m.

REPORT: All were duly sworn in.

PZ 1. First reading of proposed ordinance rezoning Lot 6 from R-1 (One Family District) to R-2 (One and Two-Family Residential District); granting a variance to allow a duplex on Lot 6, a substandard lot, with width of 50 feet and area of 5,000 square feet, where 75 feet and 7,500 square feet are required; allow a 5.1 foot side setback, where 7.5 feet are required; allow 20 feet rear setback, where 25 feet are required; allow 43.20% lot coverage, where 30% is the maximum allowed; and granting a variance permit to allow for an existing single family to remain on substandard Lot 7, with a width of 50 feet and area of 5,000 square feet, where 75 feet and 7,500 square feet are required; all contra to Hialeah Code of Ordinances §§ 98-499, 98-544, 98-546, 98-547(a), and 98-2056(b)(2). **Property located at 4811 East 9th Lane, Hialeah.** Zoned R-1 (One-Family District). *(Applicant: Cesar Fabal, 4811 East 9 Lane, Hialeah, FL)*

APPROVED AS AMENDED 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.

On April 24, 2018 as per the applicants request the item remained tabled until the City Council meeting of May 8, 2018.

On March 27, 2018 the item was postponed by the City Council until April 10, 2018. On April 10, 2018 the item remained tabled.

Item was approved as amended by the Planning and Zoning Board on March 14, 2018.

Registered Lobbyist: Anthony Escarra, 16400 NW 59 Avenue, Miami Lakes, Florida.

Planner's Recommendation: Denial.

Owner of the Property: Cesar Fabal, 4811 East 9 Lane, Hialeah, FL 33013.

REPORT: Motion to remove item PZ 1 from table made by Councilwoman Garcia-Martinez and seconded by Council Vice President Caragol. Motion passed 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.

REPORT: Anthony Escarra, Esq., in representation of the applicant, clarified the item for the City Council.

REPORT: Deborah Storch, Planning & Zoning Director, addressed the Council on this item.

REPORT: Motion to Approve as Amended item PZ1 made by Council Vice President Caragol, and seconded by Councilwoman Garcia-Martinez. Motion passed 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present. Second reading and public hearing is scheduled for June 12, 2018.

PZ 2. First reading of proposed ordinance rezoning property from M-1 (Industrial District) to C-2 (Liberal Retail Commercial District); and granting a variance permit to allow a street side setback of 9.3 feet, where 10 feet are required; and allow a pervious area of 12.9%, where 18% is required; all contra to Hialeah Code of Ordinance § 98-2088 and the latest edition of the Hialeah Landscape Manual dated July 9, 2015 paragraph (E) tree and lawn requirements by zoning classification, table A; **Property located at 3665 West 18th Avenue, Hialeah, Florida;** repealing all ordinance in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.**

Item was approved by the Planning and Zoning Board on April 25, 2018.

Planner's Recommendation: Approval

Owner of the Property: Richard W. Ogden, Hialeah Speedway LLC, 9769 South Dixie Hwy, Suite 201, Pinecrest, Florida. 33156.

REPORT: Richard Ogden, 9769 South Dixie Highway, Suite 201, Pinecrest, Florida., addressed the Council in this item.

REPORT: Motion to Approve item PZ2 made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present. Second reading and public hearing is scheduled for May 22, 2018.

PZ 3. First reading of proposed ordinance granting a variance permit pursuant to Hialeah Code of Ordinances § 98-2233 partially waiving the minimum landscape requirements for proposed industrial warehouse uses on condition that 1,918 trees, and 19,800 shrubs are provided on the adjacent 30 acres of land maintained as a City Park; **Property located within the Hialeah Heights Annexation area bounded on the West by NW 107 Avenue, on the North by NW 170 Street, on the East by NW 97 Avenue, and on the South by NW 154 Street;** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: FDG Beacon Countyline, LLC, 2855 South Le Jeune Rd, 4th Floor, Coral Gables, Florida, 33134*) **APPROVED 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.**

<i>Item was approved by the Planning and Zoning Board on April 25, 2018.</i>
<i>Planner's Recommendation: Approval</i>
<i>Registered Lobbyist: Guillermo Cuadra, Esq. 3250 N.E 1st Avenue, Suite 334, Miami, Florida 33137.</i>
<i>Owner of the Property: Countyline Buildings 1,2,3, Countyline, I, 2 LLC, FDG Countyline LLC, and FDG BN Expansion LLC, 2855 South Le Jeune Rd, 4th Floor, Coral Gables, Florida. 33134.</i>

REPORT: Motion to Approve item PZ3 made by Council Vice President Caragol, and seconded by Councilwoman Lozano. Motion passed 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present. Second reading and public hearing is scheduled for May 22, 2018.

PZ 4. Recommendation of denial by the City of Hialeah Planning and Zoning Board to rezone from C-1 (Restricted Retail Commercial District) to R-2 (One- and Two- Family Residential District) and variance permit to allow the construction of a duplex in a substandard lot with frontage of 40 feet, depth of 88 feet and area of 3,520 square feet where frontage of 75 feet, depth of 100 feet and 7,500 square feet are the minimum dimensions required; allow east interior side setback of 5 feet, where 7.5 feet is the minimum required; allow front and rear setback of 20 feet, where 25 feet is the minimum required; allow street side setback of 10 feet, where 15 feet is the minimum required, and allow a lot coverage of 32.1% where 30% is the maximum allowed. **Property located at 5XX West 24th Street, Hialeah, Zoned C-1 (Restricted Retail Commercial District).** (*Applicant: Gilberto Aguila, 5XX West 24th Street, Hialeah, Florida 33016*). **TABLED**

<i>Item was denied the Planning and Zoning Board on April 25, 2018.</i>
<i>Planner's Recommendation: Denial</i>
<i>Owner of the Property: Gilberto Aguila, 5XX West 24th Street, Hialeah, Florida. 33016</i>

REPORT: Motion to postpone item PZ4 made by Councilwoman Garcia-Martinez and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present. The item will be heard at the City Council meeting of May 22, 2018.

LAND USE AMENDMENTS

- LU 1.** Second reading and public hearing of proposed ordinance amending the future land use map from Medium Density Residential to High Density Residential; **Property located at 1235 West 26th Place, Hialeah, Florida**, zoned R-3 (Multiple-Family District); repealing all ordinance or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing severability clause; and providing for an effective date. (*Applicant Pedro SanJorge Two Saints Investments LLC, 1235 West 26 Place, Hialeah, Florida.*)
APPROVED 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.
ORDINANCE No. 2018-035

<i>Item was approved on first reading by the City Council on April 24, 2018.</i>
<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Pedro SanJorge Two Saints Investments LLC, 1235 West 26 Place, Hialeah, Florida.</i>

REPORT: Motion to approve item LU1 made by Council Vice President Caragol and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.

- LU 2.** Second reading and public hearing of proposed ordinance amending the future land use map from Commercial to High Density Residential; **Property located at 620 West 29th Street, Hialeah, Florida**, zoned C-2 (Liberal Retail Commercial District); repealing all ordinance or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing severability clause; and providing for an effective date. (*Applicant: Daniel Abreu 29 SW LLC, 620 West 29 Street, Hialeah, Florida.*)
APPROVED 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.
ORDINANCE No. 2018-036

<i>Item was approved on first reading by the City Council on April 24, 2018.</i>
<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Daniel Abreu, 620 West 29 Street, Hialeah, Florida.</i>

REPORT: Motion to approve item LU2 made by Council Vice President Caragol and seconded by Councilwoman Lozano. Motion passed 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.

LU 3. Second reading and public hearing of proposed ordinance amending the future land use map from Low Density Residential to Commercial; **Property located at 402 East 41st Street, Hialeah, Florida**, zoned P (Parking); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing severability clause; and providing for an effective date. (Applicant: Barbara De La Caridad Hernandez Navarro, 402 East 41st Street, Hialeah, Florida.)

APPROVED 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.

ORDINANCE No. 2018-037

<i>Item was approved on first reading by the City Council on April 24, 2018.</i>
<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Barbara De La Caridad Hernandez Navarro , 402 East 41st Street, Hialeah, Florida</i>

REPORT: Motion to approve item LU3 made by Council Vice President Caragol and seconded by Councilwoman Garcia-Martinez. Motion passed 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.

LU 4. Second reading and public hearing of proposed ordinance amending the future land use map from Medium Density Residential to High Density Residential; **Property located at 424 East 30th Street, Hialeah, Florida**, zoned R-3 (Multiple-Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing severability clause; and providing for an effective date. (Applicant: Darren Cantrelle and Maria Cantrelle, 424 East 30th Street, Hialeah, Florida.)

APPROVED 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-

Fuente not present.
ORDINANCE No. 2018-038

<i>Item was approved on first reading by the City Council on April 24, 2018.</i>
<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Darren Cantrelle and Maria Cantrelle, 424 East 30th Street, Hialeah, Florida.</i>

REPORT: Motion to approve item LU4 made by Council Vice President Caragol and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.

- LU 5.** Second reading and public hearing of ordinance amending the future land use map from Low Density Residential to Transit Oriented Development; **property located at 859 East 24th Street, Hialeah, Florida**, zoned R-1 (One-Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Rental Properties Miami LLC, 859 East 24th Street, Hialeah, Florida.*)
APPROVED 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.
ORDINANCE No. 2018-039

<i>Item was approved on first reading by the City Council on April 24, 2018.</i>
<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Registered Lobbyist: Caesar Mestre, 7600 West 20th Avenue, #220, Hialeah, Florida 33016</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Rental Properties Miami LLC, 100 South Pointe Drive, #2702, Miami Beach, Florida.</i>

REPORT: Motion to approve item LU5 made by Council Vice President Caragol and seconded by Councilwoman Lozano. Motion passed 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.

- LU 6.** Second reading and public hearing of proposed ordinance amending the future land use map from Low Density Residential to Transit Oriented Development; **property located**

at 853 East 24th Street, Hialeah, Florida, zoned R-1 (One-Family-District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.

ORDINANCE No. 2018-040

<i>Item was approved on first reading by the City Council on April 24, 2018.</i>
<i>Item was approved by the Planning and Zoning Board on April 11, 2018.</i>
<i>Registered Lobbyist: Cesar Mestre, 7600 West 20th Avenue, #220, Hialeah, FL 33016</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Rental Properties Miami LLC, 100 South Pointe Drive, #2702, Miami Beach, Florida.</i>

REPORT: Motion to approve item LU6 made by Council Vice President Caragol and seconded by Councilwoman Lozano. Motion passed 5-0-2 with Councilman Hernandez absent and Councilwoman Cue-Fuente not present.

ADJOURNED- 8:52 P.M.

NEXT CITY COUNCIL MEETING: Tuesday, May 22, 2018 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 22, 2018 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at
(305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if

hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).